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ATTORNEY DOCKET NO. 10040213-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Patrick T. Petrino, et al.

Serial No.: 10/816,636

Examiner: Yu, Melanie J

Filing Date: April 1, 2004

Group Art Unit: 1641

Title: Optoelectronic Rapid Diagnostic Test System

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JAN 20 2005

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☐ New fee as calculated below ☐ Supplemental Declaration  
☐ No additional fee (Address envelope to "Mail Stop Amendments")  
☐ Other: (Fee \$ \_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	12	MINUS	20	= 0	X 50	\$ 0
INDEP. CLAIMS	1	MINUS	3	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 <sup>ST</sup> MONTH 120.00 <input type="checkbox"/>	2 <sup>ND</sup> MONTH 450.00 <input type="checkbox"/>	3 <sup>RD</sup> MONTH 1020.00 <input type="checkbox"/>	4 <sup>TH</sup> MONTH 1590.00 <input type="checkbox"/>		\$ 0
					OTHER FEES	\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Patrick T. Petrino, et al.

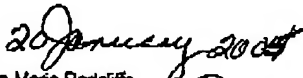
By



Pamela Lau Kee  
Attorney/Agent for Applicant(s)

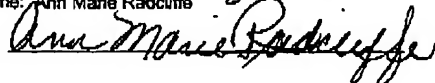
I hereby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office on  
the date shown below:

Date of facsimile:



Typed Name: Ann Marie Radcliffe

Signature:



Reg. No. 36,184

Date: 20 January 2005

Telephone No. (408) 553-3059

<p>( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.</p> <p>Date of Deposit: Typed Name: Signature:</p>	<p>(X) I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below.</p> <p>Date of Facsimile: <i>Ann Marie Radcliffe</i> Typed Name: Ann Marie Radcliffe Signature: <i>20 January 2005</i></p>
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Inventor(s): Patrick T. Petrino, et al.****Examiner: Yu, Melanie J.****Serial No.: 10/816,636****Group Art Unit: 1641****Filing Date: 04/01/2004****Title: Optoelectronic Rapid Diagnostic Test System****RECEIVED  
CENTRAL FAX CENTER****JAN 20 2005****AMENDMENT****Sir:**

In an Office Action dated 23 December 2004 having a 1 month statutory period of response expiring 22 January 2005, the Examiner has asked the applicants to elect one of the following groups:

Group I: Claims 1-12, drawn to a test system comprising a light source, class 422, subclass 52

Group II: Claims 13-15, drawn to a process for a test system comprising illumination, class 435, subclass 4

Group III: Claims 16-20, drawn to a method for a test system comprising a labeling substance, class 435, subclass 7.1

Applicants elect Group I. Please delete claims 13-20 without prejudice. The pending claims are presented below.